

REMARKS

Claims 1-21, 23-34, 36-37, 40-42, 44-45, 48-60 and 62-70 are pending in the Application.

Claims 3-5, 7-12, 17, 21, 23, 28, 31, 41-42, 44-45, 48-57 and 65-70 have been allowed.

Claims 1-2, 6, 13-16, 18-20, 24-27, 29, 32-34, 36-37, 58-60 and 63 stand rejected.

Claims 30, 40, 62 and 64 have been objected to.

Applicants greatly appreciate the Examiner's thorough examination of the above-identified patent application.

Applicants continue to invite the Examiner to telephone Applicants' attorney subsequent to receiving this Amendment to request any assistance needed in further examination of this Application, or to address any continuing concerns of the Examiner.

The Examiner has rejected Claim 2 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter of which Applicants regard as the invention. In response, Applicants have amended claim 2 to correct the antecedent basis problem noted by the Examiner.

Claims 1-2, 6, 13-16, 18-20, 24-27, 29, 32-34, 36-37, 58-60 and 63 stand rejected under 35 U.S.C. § 102(b) as being anticipated by *Sharma, et al.* (U.S. Patent No. 5,452,289). In response, Applicants respectfully traverse this rejection. As the Examiner is well aware, for a claim to be anticipated under Section 102, each and every element of the claim must be found within the cited prior art reference.

*Sharma* describes a computer assisted communications system including user interface control software operating on a personal computer, which then communicates with hardware components linked to the software through the personal computer serial communications port. Column 1, lines 35-46. Referring to Fig. 1 of *Sharma*, such software is contained within the personal computer 10, which then communicates with the hardware components 20. The hardware components 20 are controlled by control software operating within the hardware component and



from the software components operating within the personal computer 10. Column 1, lines 50-54. Fig. 3 illustrates a block diagram of the hardware components 20. Column 8, lines 3-5. The main controller circuit 313 controls the DSP data pump circuit 311 and the voice control DSP circuit 306. Column 8, lines 55-59. Multiplexor circuit 310 selects between the voice control DSP circuit 306 and the data pump DSP circuit 311 for transmission of information on the telephone line through telephone line interface circuit 309. Column 8, lines 42-45. The RS232 serial interface circuit 315 communicates to the serial port of the personal computer 10 which is running the software components of the present system. Column 9, lines 11-13.

Claim 1 specifically recites that the switching circuitry and the voice processing circuitry are controlled by a single microprocessor. It is apparent that the Examiner is equating the claimed switching circuitry to the telephone line interface 309, multiplexor 310, voice control DSP 306, codec 305, and one of either the handset 301, headset 302, or microphone 303 plus speaker 304 through the circuitry that receives the call and connects it into the telephone line interface 309 to one of the telecommunications devices 301-304. It is also apparent that the Examiner is equating the voice processing circuitry recited within Claim 1 with the telephone line interface 309, the multiplexor 310, and the data pump DSP circuit 311. The Examiner is then asserting that the single microprocessor is taught in *Sharma* by the main controller 313, which the Examiner asserts controls the functions and operation of all of the hardware components shown in Fig. 3, as supported in Column 9, lines 1-5.

In response, Applicants respectfully assert that this is not how *Sharma* works. It is quite clear in *Sharma* that there are at least two microprocessors/microcontrollers operating the entire system illustrated in Fig. 1, since *Sharma* specifically states that functions of the hardware components in Fig. 3 are controlled by control software operating within the hardware component and from the software components operating within the personal computer (which quite naturally will have a microprocessor contained therein). Again, see Column 1, lines 50-54. This is also supported in Column 9, lines 11-13, wherein *Sharma* teaches that the software components of the system

C

communicate with the hardware components in Fig. 3 via the RS232 serial interface circuit 315. Columns 9 through 14 then go on to describe the various functions illustrated in Fig. 2 (e.g., the telephone, voice mail, fax manager, multi-media mail, show and tell, terminal, and address book functions) that are all implemented in the hardware components of Fig. 3 using the software implemented within the personal computer 10. As an example, the telephone function 115 is implemented by the user either selecting a telephone number to be dialed from the address book 127 or manually selecting the number through the telephone menu on the personal computer 10. Column 9, lines 25-29. The telephone number to be dialed is then downloaded from the personal computer over the serial interface 315 and received by the main controller 313 which causes the data pump DSP circuit 311 to seize the telephone line and transmit the DTMF tones to dial the number. Column 9, lines 29-34. Thus, it is quite clear that the switching circuitry and voice processing circuitry described in *Sharma* are controlled by two microprocessor/microcontrollers, one in the PC 10, and microcontroller 313. Therefore, Claim 1 is not anticipated by *Sharma*.

Claim 6 is similar to Claim 1, except that Claim 6 recites that switching circuitry and the voice processing circuitry are controlled by a single processing means. Claim 6 then further recites that the single processing means is controlled by a single set of software operable for controlling both the switching circuitry and the voice processing circuitry. For much of the same reasons as given above with respect to Claim 1, Applicants respectfully assert that *Sharma* does not anticipate Claim 6, since it is quite clear that a processor operating within PC 10 and the controller 313 do not comprise a single processing means. Furthermore, *Sharma* clearly teaches that more than a single set of software is controlling the functions of the switching circuitry and the voice processing circuitry, since *Sharma* teaches that the hardware components are controlled by a control software operating within the hardware components and are controlled from the software components operating with the personal computer. Column 1, lines 50-54. Therefore, Applicants respectfully assert that *Sharma* teaches that not only are there two processing means for controlling the switching circuitry and the voice processing circuitry in *Sharma*, but more than one set of software is

C

implemented within the PC 10 and within the programmable and electrically erasable read only memory (PEROM) circuit 317. *Sharma* teaches in column 9, lines 7-10 that the PEROM circuit 317 includes non-volatile memory in which are stored the executable control programs for the voice control DSP circuits 306 and the main controller circuits 313.

Claim 13 also recites the single processing means, and therefore, Applicants respectfully assert that Claim 13 is also not anticipated by *Sharma* for the same reasons as given above with respect to Claim 6.

Claim 14 also recites the single processing means for controlling the switching circuitry and the voice processing circuitry, and therefore Applicants respectfully assert that Claim 14 is also not anticipated by *Sharma* for the same reasons as given above with respect to Claim 6.

Likewise, Claim 15 is also patentable over *Sharma* for the same reasons as given above with respect to Claim 6. Furthermore, Claim 15 recites that the signal processing circuitry coupled to the single processing means includes a caller ID modem operable for recognizing caller ID from the call. The Examiner has asserted that "facsimile tone detection...by definition includes caller ID modem [sic] for recognizing caller ID signals from a call." Applicants respectfully traverse this assertion by the Examiner. A facsimile machine does not have to implement a caller ID functionality in order to operate. Therefore, facsimile tone detection does not by definition include a caller ID modem. Furthermore, Applicants have reviewed *Sharma*, and more specifically with respect to the facsimile functionality described within *Sharma*, and do not find anywhere within *Sharma* that a caller ID functionality is described. Therefore, Applicants respectfully assert that Claim 15 is not anticipated by *Sharma*.

Claim 19 is dependent upon Claim 18, which is dependent upon Claim 1. Since Applicants respectfully assert that Claim 1 is patentable over the cited prior art, therefore, Claim 19 is also patentable. Nevertheless, Applicants also respectfully assert that Claim 19 is patentable over *Sharma*, since the circuitry for recording all or a portion of the call after the telecommunications device is connected to the call, which operates and responds to a tactilely initiated activating signal,

is not taught within *Sharma*. In contrast, Applicants respectfully assert that *Sharma* teaches that the recording of an incoming call is done automatically, entirely without the requirement for any tactilely initiated activating signal. *Sharma* teaches that an incoming telephone call is received and a pre-recorded message is then sent by the personal computer 10 through the RS232 interface 315 to the main controller circuit 313, which then passes it on to the DSP circuit 306, which results in analog voice patterns that are passed through the multiplexor circuit 310 to the telephone line interface 309 for transmission to the caller. Column 10, lines 10-28. Such a message may invite the caller to leave a voice message at the sound of a tone. Any resultant incoming voice messages that are received through the telephone line interface 309 and passed through the voice control circuit 306 are then sent through the RAM circuit 308 and the main controller 313 through the RS232 serial interface 315 to the personal computer 10 for storage and later retrieval. Column 10, lines 28-44. Thus, Applicants respectfully assert that nowhere within *Sharma* is it taught or suggested that an incoming call can be recorded in response to a tactilely initiated activating signal.

For the same reason as given above with respect to Claim 19, Applicants respectfully assert that Claim 25 is also not anticipated by *Sharma*. Even more specifically, it is quite clear that nowhere within *Sharma* is a recording of a voice signal from a telephone extension activated in a tactilely initiated manner by a user of a telephone extension.

Claim 27 also recites that the switching circuitry and the voice processing circuitry are controlled by a single processing means. Thus, Applicants respectfully assert that Claim 27 is not anticipated by *Sharma* for the same reasons as given above with respect to Claim 6. Furthermore, Claim 27 recites that a recording sequence to record a voice signal at a telephone extension coupled to the system is activated in a tactile manner by a user of the telephone extension. For the same reasons as given above with respect to Claim 19, Applicants therefore assert that Claim 27 is not anticipated by *Sharma*. Claim 27 further recites circuitry for listening to a voice signal at a telephone extension coupled to the system, wherein this voice signal is recorded by the activated recording sequence, and that the voice signal originates from a voice mail message stored in the



system. Applicants respectfully assert that this Claim limitation is not taught or suggested anywhere within *Sharma*. Furthermore, Applicant's respectfully assert that the Examiner's rejection in paragraph 5, page 3 of Paper No. 15 does not specifically address this Claim limitation, and therefore the Examiner has failed to prove a *prima facie* showing of anticipation in rejecting Claim 27.

Claim 29 also recites that the switching circuitry and the voice processing circuitry are controlled by a single processing means. For this reason alone, Applicants respectfully assert that Claim 29 is not anticipated by *Sharma* for the same reasons as given above with respect to Claim 6. Furthermore, Claim 29 recites circuitry for storing time and date of the call and caller ID information associated with the call. First of all, Applicants respectfully assert that this limitation is not taught or suggested by *Sharma*, since *Sharma* does not in any way teach or suggest the use of caller ID information. Furthermore, Applicants respectfully assert that nowhere within *Sharma* is it taught or suggested for storing the time and date of the call, and furthermore, nowhere within the Examiner's rejection in paragraph 5, page 3 of Paper No. 15, has the Examiner specifically addressed this Claim limitation, and therefore the Examiner has failed to prove a *prima facie* case of anticipation in rejecting Claim 29.

Claim 32 recites several limitations that Applicants assert are not taught or suggested within *Sharma*. More specifically, Claim 32 recites providing information to a user at a telephone extension without the user at the extension having a caller resource storing the information. This is accomplished by receiving an activation signal from the telephone extension wherein the activation signal is tactilely initiated by the user of the telephone extension, coupling the telephone extension to a play channel of a signal processing circuitry, downloading the information to the play channel from a memory, playing portions of the information to the user via the telephone extension, receiving another signal tactilely initiated by the user of the telephone extension, wherein this signal includes coding indicating a content of the information, and retrieving information having a content from the memory and providing it to the play channel, wherein the signals are activated by the user while a telephone extension is connected to the call. Within paragraph 5 of page 3 of Paper No. 15,

C

Applicants can only discern that the Examiner has attempted to address these claimed limitations with the statement: "The user of the device is enabled to edit voice mail and multimedia messages via tacit initiation procedures at the extension terminal." In response, Applicants respectfully assert that if this is the Examiner's reason for rejecting Claim 32, such a rejection is insufficient to address each and every one of the limitations recited within Claim 32, and thus the Examiner has failed to prove a *prima facie* case of anticipation in rejecting Claim 32. The Examiner has not addressed the limitations of coupling the telephone extension to a play channel of a signal processing circuitry, downloading the information to the play channel from a memory, playing portions of the information to the user via the telephone extension, receiving another signal tactilely initiated by the user of the telephone extension wherein another signal includes coding indicating a content of the information, and retrieving the information having the content from the memory and providing it to the play channel wherein the signals are activated by the user while the telephone extension is connected to a call. Yet still further, as asserted above by Applicants, *Sharma* does not in any way teach or suggest the tactile initiation of a user at a telephone extension of an activation signal. Furthermore, *Sharma* does not teach or suggest downloading information from a memory to a play channel and then playing portions of that information to the user via the telephone extension. Yet still further, Applicants respectfully assert that *Sharma* does not teach or suggest then receiving another tactilely initiated signal from the user of the telephone extension, wherein this additional signal includes coding indicating a content of that information, and then Applicants respectfully assert that *Sharma* does not in any way teach or suggest the retrieval of that information having that content from the memory and providing it to the play channel. Yet still further, Applicants respectfully assert that *Sharma* does not teach or suggest that such signals are activated by the user while the telephone extension is connected to a call.

Claim 36 further recites that the activation signal is initiated by a pressing of a button on the telephone extension by the user. Applicants respectfully assert that *Sharma* does not teach this capability of a user.

C

Claim 37 then further recites that the information includes a menu of options for permitting the user to select which of the portions are played in response to the signals activated by the user. Applicants respectfully assert that these Claim limitations are not taught or suggested within *Sharma*. Additionally, Applicants respectfully assert that the Examiner has failed to prove a *prima facie* case of anticipation in rejecting Claim 37, since the Examiner has not specifically addressed these Claim limitations in Paper No. 15.

The Examiner is respectfully requested to refer to column 11, line 33 through column 13, line 58, wherein the multimedia, show-and-tell, and voice over data functions are further described. *Sharma* does disclose that multimedia data, and voice data is transferred between the PC 10 through the main controller circuit 313 to the telephone line interface 309. But, in no way does *Sharma* teach or suggest that any of this data is provided to the telephone extension through digital telephone codec 305, nor does *Sharma* teach or suggest in any way that any of this information is manipulated as a result of any types of signals received from a user using one of the telecommunications devices 301-304 through the codec 305.

Claim 58 also recites that the switching circuitry and the voice processing circuitry are controlled by a single processing means. Therefore, Applicants respectfully assert that Claim 58 is not anticipated by *Sharma* for the same reasons as given above with respect to Claim 6. Furthermore, Claim 58 recites the steps of listening to a voice signal at a telephone extension coupled to the system, activating a recording sequence to record the voice signal, and storing the recorded voice signal in a memory. Applicants respectfully assert that this is not taught or suggested within *Sharma*. The only recording of voice signals taught by *Sharma* is the receipt of a message through the telephone line interface 309, which is from an external caller, and not from a telephone extension coupled to the system, such as through codec 305.

Claim 59 recites that the activating step of Claim 58 is tactilely initiated by a user of the telephone extension. This Claim is not anticipated by *Sharma* for the same reasons as given above,

1

wherein Applicants have asserted that *Sharma* does not teach in any way the receipt of a tactilely initiated signal from a user of a telephone extension.

Claim 60 recites that the voice signal that is being recorded has originated from a call to the system. Applicants respectfully assert that this Claim is not anticipated by *Sharma*, since *Sharma* does not provide an ability for a user at the telecommunications devices 301-304 to initiate the recording of a voice signal received at line interface 309 into the memory within the PC 10.

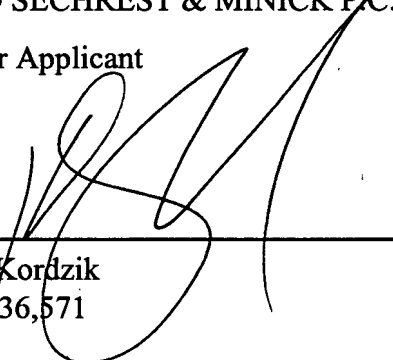
Applicants respectfully assert that Claim 63 is patentable over the cited prior art for the same reasons as given above with respect to Claim 15.

Applicants have added new Claim 71 which recites that the switching circuitry connects a call to one of a plurality of telecommunications devices coupled to the system. This capability is not in any way taught or suggested within *Sharma*, since *Sharma* merely provides that a single telecommunications device coupled to codec 305 is connected to an incoming call into telephone line interface 309. Note that the plurality of telecommunications devices 301-304 cannot be referred to as such a plurality recited within Claim 71, since *Sharma* quite clearly states that these are alternative interfaces connected to the codec circuit 305. Column 8, lines 18-24. Thus, *Sharma* teaches that a user may use, in the alternative, any one of the telephone handset 301, the telephone headset 302, or the microphone 303 and speaker 304, but *Sharma* does not teach that there is any switching capability to connect an incoming call to any one of the three.

As a result of the foregoing, Applicants respectfully assert that all of the Claims in the application are patentable over the cited prior art.

C

Respectfully submitted,  
WINSTEAD SECHREST & MINICK P.C.  
Attorneys for Applicant

By:   
Kelly K. Kordzik  
Reg. No. 36,571

100 Congress Avenue  
Suite 800  
Austin, Texas 78701  
(512) 370-2851